

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

LABORERS' PENSION FUND et al., )  
Plaintiffs, )  
v. )  
B & M INTERNATIONAL CONSTRUCTION, )  
an Illinois corporation, et al., )  
Defendants. )  
Case No. 08 C 250  
Judge ASPEN

## **ORDER**

This matter having come before the Court pursuant to the parties' Settlement Agreement and Stipulation to Dismiss, IT IS HEREBY ORDERED THAT:

1. This matter is dismissed without prejudice against Defendants B & M International Construction, Inc., and Paul Malecki with leave to reinstate on or before February 15, 2009 and pursuant to the terms of the parties' Settlement Agreement and Agreed Stipulation to Dismiss.
2. This Court retains jurisdiction to enforce the terms of the Settlement Agreement and Agreed Stipulation to Dismiss against Defendants B & M International Construction, Inc., and Paul Malecki.
3. In the event a motion to reinstate is not filed on or before February 15, 2009, the case shall be deemed dismissed with prejudice without further order of the Court.

ENTER:

The Honorable Marvin E. Aspen  
United States District Court Judge

Dated: